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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

CAHILL RANCHES, INC.,

Plaintiff,

v.

BUREAU OF LAND MANAGEMENT,

Defendant,

and

**OREGON NATURAL DESERT
ASSOCIATION,**

Applicant in
Intervention/Defendant.

No. 1:17-cv-960-MDC

EIGHTH JOINT STATUS REPORT

1. Plaintiff, Cahill Ranches, Inc., challenges the action of the Bureau of Land Management (“BLM”) in issuing Land Use Plan Amendments relating to the Greater Sage-Grouse (“Plan Amendments”).

2. This case is currently stayed at the joint request of Plaintiff and Defendants to avoid the waste of resources that would be incurred in proceeding with litigation while the Defendant Agency has amended the challenged policies. *See* ECF Nos. 12, 13, 18, 19, 28, 29, 33, 34, 35, 36, 37, 39, 40, 41, and 42.

3. In support of continuing the stay, Plaintiffs and Defendants note that on March 15, 2019, BLM issued final Resource Management Plan Amendments (“RMPA”) and final environmental impact statements (FEIS) for Greater Sage-Grouse Conservation for Oregon, Colorado, Idaho, Utah, Nevada/Northeastern California, and Wyoming. The new RMPA for Oregon supersedes the Plan Amendment challenged in this litigation and may obviate the need for litigation in this case.

4. Plaintiff and Defendants have conferred and request that the Court continue the stay for an additional 30 days so that the parties have an opportunity to determine how to resolve this case.

5. Counsel for Plaintiff was unable to reach counsel for the Proposed Defendant-Intervenor, Oregon Natural Desert Association (“ONDA”), to determine their position on continuation of the stay.

6. Courts have broad discretion to stay proceedings and to defer judicial review in the interest of justice and efficiency. “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort itself, for counsel, and for litigants.” *Landis v. North Am. Co.*, 299 U.S. 248, 254

(1936) (quoted in *Air Line Pilots Ass'n v. Miller*, 523 U.S. 866, 879 n.6 (1998); *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962)); see also *Am. Petroleum Inst. v. Envtl. Protection Agency*, 683 F.3d 382, 388 (D.C. Cir. 2012) (premature and unnecessary judicial review “would hardly be sound stewardship of judicial resources”).

7. Upon expiration of the stay, the Plaintiff and Defendant will submit a status report advising the Court of how they believe this matter should proceed.

Respectfully submitted this 20th day of May, 2019.

/s/ Caroline Lobdell

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CERTIFICATE OF SERVICE

I, Caroline Lobdell, hereby certify that I, on May 20, 2019, I caused the foregoing **EIGHTH JOINT STATUS REPORT** to be served upon counsel of record through the Court's electronic service system.

Dated this 20th day of May, 2019.

/s/ Caroline Lobdell
Caroline Lobdell